

0321.068199

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad Calder et al.  
Serial No.: 10/659,066  
Patent No.: 7,802,236  
Conf. No.: 3820  
Filed: September 9, 2003  
Issued: September 21, 2010  
For: METHOD AND APPARATUS FOR  
IDENTIFYING SIMILAR REGIONS OF  
A PROGRAM'S EXECUTION  
Art Unit: 2191  
Examiner: Rongfa Philip Wang

REQUEST FOR CERTIFICATE OF CORRECTION  
UNDER RULE 1.323

Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.323, patentees, through their attorneys, respectfully request that a Certificate of Correction be issued in the above-referenced patent to correct the errors listed below. This correction is properly addressable by a Certificate of Correction for at least the reasons set out in the Remarks below.

**On the Patent Face:**

Under "Prior Publication Data", please insert:

--Related U.S. application to provisional applications No. 60/409,105 filed on September 9, 2002 and No. 60/409,106 filed on September 9, 2002.--

**In the Specification:**

Before "Field of the Invention", please insert:

-- PRIORITY CLAIM

--Applicants claim the benefit of U.S. provisional patent applications No. 60/409,105 filed on September 9, 2002 and No. 60/409,106 filed on September 9, 2002 under 35 U.S.C. §119.--

## REMARKS

This correction adds Patentees previously-submitted specific reference to prior-filed provisional applications to the first paragraph of the specification. The priority claim and specific reference to the provisional applications were previously submitted by Applicants (e.g., in the "Inventor Declaration" as filed (copy attached)). Patentees priority claims were recognized by the Patent Office (see original and updated filing receipts (copies attached)). Further, the publication date (June 10, 2004) of the application that issued as the present patent is based on an eighteen month window from the earlier priority dates of the provisional applications (both filed Sept. 9, 2002) (see Notice of Publication, copy attached). Therefore, Patentees submit that a Certificate of Correction is proper in this instance.

A Certificate of Correction incorporating the above-delineated change(s) is enclosed herewith.

Patentees authorize the appropriate fee of \$100.00, pursuant to 37 C.F.R. § 1.20(a), to be charged to Deposit Account No. 07-2069. The Commissioner is also authorized to charge any additional fees to Deposit Account No. 07-2069.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By /ARIK B. RANSON/  
Arik B. Ranson  
Registration No. 43,874

**Customer No. 24978**  
June 21, 2011  
300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: (312) 360-0080  
Facsimile: (312) 360-9315

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR IDENTIFYING SIMILAR REGIONS OF A PROGRAM'S EXECUTION**

the specification of which (check one)

☐ is attached hereto.  
☒ was filed on September 9, 2003 as  
 Application Serial No. 10/659,066  
 and was amended on \_\_\_\_\_  
 (if applicable)

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

Priority Claimed

|                   |                    |                                 |                              |                             |
|-------------------|--------------------|---------------------------------|------------------------------|-----------------------------|
| _____<br>(Number) | _____<br>(Country) | _____<br>(Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

That I hereby claim the benefit under Title 35, United States Code, §119 and/or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**United States Application(s)**

|   |                                  |   |
|---|----------------------------------|---|
| <u>60/409,105</u><br>(Application Serial No.) | <u>9/9/2002</u><br>(Filing Date) | <u>Pending</u><br>(Status)-(Patented, pending, abandoned) |
| <u>60/409,106</u><br>(Application Serial No.) | <u>9/9/2002</u><br>(Filing Date) | <u>Pending</u><br>(Status)-(Patented, pending, abandoned) |
| _____<br>(Application Serial No.)             | _____<br>(Filing Date)           | _____<br>(Status)-(Patented, pending, abandoned)          |

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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I hereby appoint the following attorneys and agents listed under Customer No. 24978, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to GREER, BURNS & CRAIN, LTD., Suite 2500, 300 South Wacker Drive, Chicago, Illinois 60606, Telephone No. (312) 360-0080.

Address for Correspondence:

Steven P. Fallon, Esq.  
GREER, BURNS & CRAIN, LTD.  
300 S. Wacker Drive - Suite 2500  
Chicago, Illinois 60606  
Tel.: (312) 360-0080  
Fax: (312) 360-9315  
Customer No.: 24978

Full name of sole or one  
joint inventor:

Brad Calder

Inventor's signature:

*Brad Calder*

Date:

9/25/03

Residence and Post Office Address:

6865 Robbins Court

San Diego, CA 92122

Citizenship:

US

Full name of additional  
joint inventor, if any:

Timothy Sherwood

Inventor's signature:

Date:

Residence and Post Office Address:

3980 Via Lucero, Apt. B

Santa Barbara, CA 93110

Citizenship:

US

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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300 S. Wacker Drive - Suite 2500  
Chicago, Illinois 60606  
Tel.: (312) 360-0080  
Fax: (312) 360-9315  
Customer No.: 24978

Full name of sole or one  
joint inventor:

Brad Calder

Inventor's signature:

Date:

Residence and Post Office Address:

6865 Robbins Court

San Diego, CA 92122

Citizenship:

US

Full name of additional  
joint inventor, if any:

Timothy Sherwood

Inventor's signature:



Date:

9/24/03

Residence and Post Office Address:

3980 Via Lucero, Apt. B

Santa Barbara, CA 93110

Citizenship:

US

Full name of additional  
joint inventor, if any:

Erez Perelman

Inventor's signature:



Date:

10/10/03

Residence and Post Office Address:

1554 Primrose Way

Cupertino, CA 95014

Citizenship:

US

Full name of additional  
joint inventor, if any:

Gregory Hamerly

Inventor's signature:

Date:

Residence and Post Office Address:

15026 Hat Creek Road

Poway, CA 92064

Citizenship:

US

Full name of additional  
joint inventor, if any:

Erez Perelman

Inventor's signature:

Date:

Residence and Post Office Address:

1554 Primrose Way

Cupertino, CA 95014

Citizenship:

US

Full name of additional  
joint inventor, if any:

Gregory Hamerly

Inventor's signature:

Gregory Hamerly

Date:

October 2, 2003

Residence and Post Office Address:

15026 Hat Creek Road

Poway, CA 92064

Citizenship:

US





## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/659,066 | 09/09/2003                | 2122     | 0.00          | 0321.68199      | 22       | 53       | 3        |

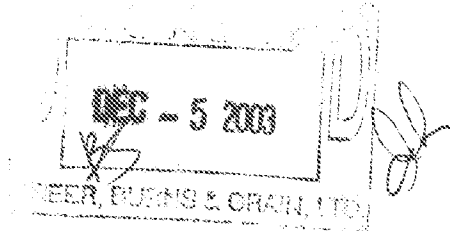
CONFIRMATION NO. 3820

24978  
 GREER, BURNS & CRAIN  
 300 S WACKER DR  
 25TH FLOOR  
 CHICAGO, IL 60606

## FILING RECEIPT



\*OC000000011394376\*



Date Mailed: 12/02/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Brad Calder, San Diego, CA;  
 Timothy Sherwood, San Diego, CA;  
 Erez Perelman, La Jolla, CA;  
 Gregory Hamerly, Poway, CA;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/409,105 09/09/2002  
 and claims benefit of 60/409,106 09/09/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 12/02/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

03 DEC - 5 11 50 AM '03  
 RECEIVED

Method and apparatus for identifying similar regions of a program's execution

**Preliminary Class**

717

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/659,066 | 09/09/2003                | 2122     | 747           | 0321.68199      | 22       | 53       | 3        |

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 25TH FLOOR  
 CHICAGO, IL 60606

CONFIRMATION NO. 3820

## UPDATED FILING RECEIPT



\*OC000000012029097\*

Date Mailed: 03/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Brad Calder, San Diego, CA;  
 Timothy Sherwood, Santa Barbara, CA;  
 Erez Perelman, Cupertino, CA;  
 Gregory Hamerly, Poway, CA;

## Assignment For Published Patent Application

The Regents of the University of California;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/409,105 09/09/2002  
 and claims benefit of 60/409,106 09/09/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 12/02/2003

Projected Publication Date: 06/10/2004

Non-Publication Request: No

Early Publication Request: No

CH 1118-9  
 MAR 9 2004  
 11:02

**\*\* SMALL ENTITY \*\*****Title**

Method and apparatus for identifying similar regions of a program's execution

**Preliminary Class**

717

---

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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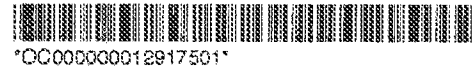
# UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|--------------------|------------------------|-----------------------|------------------|
| 10/659,066         | 09/09/2003             | Brad Calder           | 0321.68199       |

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300 S WACKER DR  
25TH FLOOR  
CHICAGO, IL 60606

CONFIRMATION NO. 3820



\*0000000012917501\*

Title: Method and apparatus for identifying similar regions of a program's execution

Publication No. US-2004-0111708-A1

Publication Date: 06/10/2004

## NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 7,802,236  
DATED : September 21, 2010  
INVENTOR(S) : Brad Calder et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

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MAILING ADDRESS OF SENDER:

Steven P. Fallon  
GREER, BURNS & CRAIG, LTD.  
300 South Wacker Drive, 25th Floor  
Chicago, IL 60606

PATENT NO 7,802,236

Page 1 of 1

0321.068199



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